

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA

In re:

Steven Dale Deaton,

Chapter 7  
Case No. 23-02527-5-PWM

Debtor.

\_\_\_\_\_  
MXR Imaging, Inc.,

Plaintiff,

v.

Adversary Proc. No. 23-00102-5-PWM

Steven Dale Deaton,

Defendant.

\_\_\_\_\_  
**JOINT MOTION TO EXTEND THE DISCOVERY DEADLINE AND TRIAL DATE**

The Parties, by and through their respective undersigned counsel, jointly request an extension of the discovery deadline and the trial date. In support of this motion, the Parties state as follows:

1. The Court's current scheduling order set the discovery deadline at July 31, 2024, and the trial date at September 10, 2024. (D.E. 8.)

2. The parties have diligently engaged in discovery thus far, including written discovery, exchanges of documents, and the deposition of Defendant Deaton on July 30. Due to circumstances beyond the Parties' control, the deposition of Deaton ended before it could be completed. The Parties will need to reconvene to complete this deposition, and request additional time to do so.

3. The Parties also request additional time to follow up on matters revealed during the July 30 deposition of Deaton. This includes Plaintiff issuing a third-party subpoena and possibly

deposing an additional individual.

4. The Parties therefore request that the Court extend the discovery deadline up to and including September 13, 2024.

5. As a result of the requested extra time to complete discovery, the Parties also request that the Court reset the trial date to early November.

6. This is the first request by either Party to extend the deadlines in this case and is not made for purposes of delay.

For the reasons discussed above, the Parties request that the Court grant their joint motion and extend the deadline for completing discovery and the trial date.

Date: August 1, 2024

Respectfully submitted,

MXR IMAGING, INC.

By: /s/ Benjamin S. Morrell

Benjamin S. Morrell (NC Bar No. 56676)

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STEVEN DEATON

By: /s/ Philip Sasser

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Attorney for Defendant

### **CERTIFICATE OF SERVICE**

I hereby certify that on the date listed below, I filed the foregoing document using the Court's CM/ECF system, which will effect service upon all counsel of record.

Date: August 1, 2024

By: /s/ Benjamin S. Morrell \_\_\_\_\_  
Benjamin S. Morrell  
*Counsel for Plaintiff*